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PTO/SB/21 (09-04)

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## TRANSMITTAL FORM

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Total Number of Pages in This Submission

27

Application Number

10/573,600

Filing Date

March 24, 2006

First Named Inventor

James M. Wilson et al

Art Unit

Examiner Name

Attorney Docket Number

UPN-P3230USA

### ENCLOSURES

(Check all that apply)

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### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	HOWSON AND HOWSON		
Signature			
Printed name	Cathy A. Kodroff		
Date	June 23, 2006	Reg. No.	33,980

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UPN-P3230USA

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appln. No. : 10/573,600 Confirmation No.:

Applicant : James M. Wilson et al

Filed : March 24, 2006

TC/A.U. :

Examiner :

Customer No. : 00270

Title : ADENO-ASSOCIATED VIRUS (AAV) CLADES,  
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USES THEREFOR

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**INFORMATION DISCLOSURE STATEMENT**

Sir:

Applicant submits to the Examiner the attached Form PTO/SB/08A/B document listing and this paper pursuant to 37 CFR § 1.56 and § 1.97-1.98. Form PTO/SB/08A/B is attached and copies of the documents are enclosed herewith. This Information Disclosure Statement is submitted less than three months from the filing date of this application and before the receipt of a first Office Action on the merits. Therefore, no fees are believed due.

The Director is hereby authorized to charge any deficiency in any fees due with the filing of this paper or credit any overpayment in any fees to our Deposit Account Number 08-3040.

Express Mail No. EQ355928668US

## REMARKS

Listed below are previously filed, and co-pending, US Patent applications, U.S. and foreign published and issued applications. These applications and the present application are commonly owned:

- 1) U.S. Patent Application No. 08/708,188 filed May 5, 1998, now Patent No. 5,866,552, issued on February 2, 1999  
U.S. RCE Patent Application No. 09/237,064, filed January 26, 1999, now pending  
U.S. RCE Patent Application No. 09/242,977, filed February 26, 1999, now pending  
U.S. RCE Patent Application No. 09/757,673, filed February 10, 2004, now pending  
(corresponding International Patent Application No. PCT/US97/15692, now published No. WO 98/09657, March 12, 1998)
- 2) U.S. Patent Application No. 10/807,802, filed November 29, 2001, now Patent No. 6,759,237, issued on July 6, 2004  
U.S. Continuation Patent Application No. 10/696,900 filed October 30, 2003, now Published No. 2004-0057933-A1, March 25, 2004  
U.S. Divisional Patent Application No. 10/696,282, filed October 29, 2003, now Published No. 2004-0057932-A1, March 25, 2004  
U.S. Divisional Patent Application No. 10/696,261, filed October 29, 2003, now Published No. 2004-0057931-A1, March 25, 2004  
U.S. Patent Application No. 11/430,226 filed May 8, 2006, now pending  
(corresponding International Patent Application No. PCT/US99/25694, filed November 2, 1999, now Published No. WO 00/28061, May 18, 2000)
- 3) U.S. Patent Application No. 10/257,961, filed October 25, 2002, now Patent No. 7,056,502, issued on June 6, 2006  
(corresponding International Patent Application No. PCT/US01/13000, filed April 23, 2001, now Published No. WO 01/83692, November 8, 2001)

- 4) U.S. Patent Application No. 10/423,704 filed April 25, 2003, now published Patent No. 2003-0228282-A1, December 11, 2003 (corresponding International Patent Application No. PCT/US02/33630, filed November 12, 2002, now Published No. WO 03/052051, June 26, 2003)
- 5) U.S. Patent Application No. 10/496,799 filed June 8, 2004, now Published Patent No. 2005-0014262-A1, January 20, 2005 (corresponding International Patent Application No. PCT/US02/33631, filed November 12, 2002, now Published No. WO 03/052052 A2, June 26, 2003)
- 6) U.S. Patent Application No. 10/291,583 filed November 12, 2002, now Published Patent No. 2003-0138772-A1, July 24, 2003 (corresponding International Patent Application No. PCT/US02/33629, filed November 12, 2002, now Published No. WO 03/042397, May 22, 2003)  
Also corresponding European Application No. 02257826.4 filed November 12, 2002, now granted Patent No. 1310571, February 15, 2006)

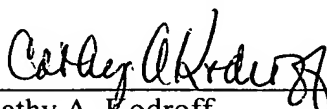
Listed below are documents cited in the International Search Report dated May 18, 2005 in the corresponding International Patent Publication No. WO 05/033321, published April 14, 2005. A copy of the Report is enclosed, together with copies of the documents.

- 1) EP 1310571 –May 13, 2003
- 2) US 2003-138772, July 24, 2003
- 3) GAO ET AL, Proceedings of the National Academy of Sciences of USA, Vol. 99, No. 18, (September 3, 2002)
- 4) GRIMM ET AL, Current Gene Therapy, Vol. 3, No. 4, (August 2003)
- 5) RUTLEDGE ET AL, Journal of Virology, Vol. 72, (January 1998)
- 6) RABINOWITZ ET AL, Journal of Virology, Vol. 76, No. 2, (January 2002)
- 7) WO 03/052052 A-June 26, 2003
- 8) GUANGPING ET AL, Journal of Virology, Vol. 78, No. 12, (June 2004)

The Examiner is respectfully requested to consider the enclosed document identified in this paper and in the attached Form PTO/SB/08A/B during the course of examination of this application.

Respectfully submitted,

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Attorneys for Applicant

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Substitute for form 1449/PTO  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> <i>(Use as many sheets as necessary)</i>				<b>Complete if Known</b>	
				Application Number	10/573,600
				Filing Date	March 24, 2006
				First Named Inventor	Wilson et al
				Group Art Unit	
Examiner Name					
Sheet	1	of	3	Attorney Docket Number	UPN-P3230USA

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
	A	US-2003-0138772 A1	07-24-2003		
	B	US-2005-0014262 A1	01-20-2005		
	C	US-2004-0057933 A1	03-25-2004		
	D	US-2004-0057932 A1	03-25-2004		
	E	US-2004-0057931 A1	03-25-2004		
	F	US-7,056,502	06-06-2006		
	G	US-5,866,552	02-02-1999		
	H	US-6,759,237	07-06-2004		

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> - Number <sup>4</sup> -Kind Code <sup>5</sup> (if known)				
	I	PCT WO 03/052052 A2	06-26-2003	The Trustees of the University of Pennsylvania		
	J	PCT WO 03/052051 A2	06-26-2003	The Trustees of the University of Pennsylvania		
	K	PCT WO 01/83692 A3	11-08-2001	The Trustees of the University of Pennsylvania		

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				First Named Inventor	Wilson et al
				Group Art Unit	
				Examiner Name	
Sheet	2	of	3	Attorney Docket Number	UPN-P3230USA

## U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	Document Number Number-Kind Code <sup>2</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	L	US-2003-0228282 A1	12-11-2003		

## FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document Country Code <sup>3</sup> - Number <sup>4</sup> -Kind Code <sup>5</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
	M	PCT WO 03/042397 A2	05-22-2003	The Trustees of the University of Pennsylvania		
	N	EP 1310571	02-15-2006	The Trustees of the University of Pennsylvania		
	O	PCT WO 98/09657 A2	03-12-1998	The Trustees of the University of Pennsylvania		
	P	PCT WO 00/28061 A3	05-18-2000	The Trustees of the University of Pennsylvania		

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				First Named Inventor	Wilson et al
				Group Art Unit	
Examiner Name					
Sheet	3	of	3	Attorney Docket Number	UPN-P3230USA

**NONPATENT LITERATURE DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Include the name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item, (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T <sup>2</sup>
	Q	GAO ET AL, Adeno-Associated Viruses Undergo Substantial Evolution in Primates During Natural Infections, PNAS, Vol. 100, No. 10, pp. 6081-6086, (May 13, 2003)	
	R	GAO ET AL, Novel Adeno-Associated Viruses From Rhesus Monkeys as Vectors for Human Gene Therapy, PNAS, Vol. 99, No. 18, pp. 11854-11859, (September 3, 2002)	
	S	GRIMM ET AL, From Virus Evolution to Vector Revolution: Use of Naturally Occurring Serotypes of Adeno-Associated Virus (AAV) as Novel Vectors for Human Gene Therapy, Current Gene Therapy, Vol. 3, No. 4, pp. 281-304, (August 2003)	
	T	RUTLEDGE ET AL, Infectious Clones and Vectors Derived from Adeno-Associated Virus (AAV) Serotypes Other Than AAV Type 2, Journal of Virology, Vol. 72, pp. 309-319, (January 1998)	
	U	RABINOWITZ ET AL, Cross-Packaging of a Single Adeno-Associated Virus (AAV) Type 2 Vector Genome into Multiple AAV Serotypes Enables Transduction with Broad Specificity, Vol. 76, No. 2, pp. 791-801, (January 2002)	
	V	GAO ET AL, Clades of Adeno-Associated Viruses Are Widely Disseminated in Human Tissues, Journal of Virology, Vol. 78, No. 12, pp. 6381-6388, (June 2004)	
	W	GAO ET AL, Erythropoietin Gene Therapy Leads to Autoimmune Anemia in Macaques, Blood, Vol. 103, No. 9, (May 1, 2004)	

Examiner Signature		Date Considered	
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